



Naperville Police Department

WEB QA REFERENCE NO:

DATE OF ORIGINAL REQUEST:

DATE OF COMPLIANCE: 11/12/2019

RECORDS REQUESTED: Records Related to Buffalo Wild Wings Incident 10/26/2019

RECORDS ATTACHED: NPD Police Reports #2019-10921 (w/ Case Attachments) and #2019-11198

NO RECORDS FOUND: There are no records responsive to all or some part of this request for records.

APPROVED WITH NO EXEMPTIONS APPLIED: Requested documents are attached without any redactions applied.

APPROVED WITH REDACTIONS: Redactions were made based on the following exemptions checked below:

DENIED IN FULL: The FOIA requester was denied in full based on the following exemption(s):

JUVENILE COURT ACT OF 1987. (705 ILCS 405/1): Mandates that reports in which a minor was arrested charged or investigated must be withheld in full. Reports in which minors are the victims of sex crimes or are incidentally mentioned are not exempt in full but names of minors may be redacted.

PRIVATE INFORMATION. FOIA (5 ILCS 140/7 (1)(b): "Private information" means unique identifiers including a person's social security number driver's license number employee identification number biometric identifiers personal financial information password or other access codes medical records home or personal telephone numbers and personal email addresses. Private information also includes home addresses and personal license plates except as otherwise provided by law or when compiled without possibility of attribution to any person.

PERSONAL PRIVACY. FOIA (5 ILCS 140/7(1)(c): Allows a public body to withhold personal information contained within public records the disclosure of which would constitute a clearly unwanted invasion of personal privacy unless disclosure is consented in writing by the individual subjects of the information. The exemption defines "unwarranted invasion of personal privacy" as "the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information.

PENDING LAW ENFORCEMENT PROCEEDINGS. FOIA (5 ILCS 140/7(1)(d)(i): Allows a public body to withhold records that would interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by the law enforcement or correctional agency that received the FOIA request.

DEPRIVATION OF FAIR TRIAL. FOIA (5 ILCS 140/7(1)(d)(iii) (West 2016): Allows public body to withhold records when disclosure would create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing.

COMMENTS OR OTHER EXEMPTION(S) APPLIED NOT MENTIONED ABOVE:

* Names and Race redacted per FOIA (5 ILCS 140/7 (1)(c) (Personal Privacy)
* Names and Race redacted per FOIA 7(1)(D)(VI) (Danger to Life or Physical Safety)
* Names and Race redacted per FOIA 7(1)(D)(IV) (Protection of Witnesses and Confidential Sources)

Please be advised that you may seek review of this partial denial (should information have been redacted) of your FOIA request either by submitting a request for review to the Public Access Counselor (PAC) in the Office of the Attorney General or by judicial review pursuant to 5 ILCS 140/11 of the Freedom of Information Act. You can file a Request for Review with the PAC by writing to the Public Access Counselor Office of the Attorney General 500 South 2nd Street Springfield Illinois 62706 Fax: 217-782-1396 Email: publicaccess@atg.state.il.us

Any request for review to the Public Access Counselor must be in writing signed by you must include a copy of your request and the response or responses you have received from the City and must be filed no later than sixty days after the date of this denial. See 5 ILCS 140/9.5(a). If you have any questions regarding this response please contact the Police Department Records Manager at 630-305-7068.

Sincerely

TONY DAVIS #8039

 **FOIA OFFICER**
NAPERVILLE POLICE RECORDS DEPARTMENT
1350 AURORA AVENUE
NAPERVILLE, IL 60540

Naperville Police Department

Incident Case Number: 2019-010921

Reporting Agency: Naperville Police

Print Date/Time: 11/12/2019 11:18:32

Disclaimer: The information contained within this report is reflective of the investigation at the date and time of its printing.

**INCIDENT/INVESTIGATION
REPORT**

<p>Agency Name <i>Naperville Police Department</i></p> <p>ORI <i>IL 0221400</i></p> <p>Location of Incident <i>2555 W 75th St Apt. 103, Naperville IL 60540-</i></p>	<p>Premise Type <i>Restaurant</i></p> <p>Beat/Tract <i>04A, 10</i></p>	<p>Case# <i>2019-010921</i></p> <p>Date / Time Reported <i>10/27/2019 18:16 Sun</i></p> <p>Last Known Secure <i>10/26/2019 18:30 Sat</i></p> <p>At Found <i>10/27/2019 18:16 Sun</i></p>																																									
<p>I N C I D E N T D A T A M O</p>	<p>#1 Crime Incident(s) (Com) <i>Investigation - Non Specific 7871</i></p>	Weapon / Tools <i>NOT APPLICABLE</i>				Activity																																					
		Entry	Exit	Security																																							
	<p>#2 Crime Incident ()</p>	Weapon / Tools				Activity																																					
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<p>#3 Crime Incident ()</p>	Weapon / Tools				Activity																																						
	Entry	Exit	Security																																								
<p># of Victims <i>0</i> Type: Injury:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">V1</td> <td style="width: 45%;">Victim/Business Name (Last, First, Middle)</td> <td style="width: 10%;">Victim of Crime #</td> <td style="width: 5%;">DOB</td> <td style="width: 5%;">Race</td> <td style="width: 5%;">Sex</td> <td style="width: 10%;">Relationship To Offender</td> <td style="width: 10%;">Resident Status</td> <td style="width: 10%;">Military Branch/Status</td> </tr> <tr> <td></td> <td></td> <td></td> <td><i>Age</i></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <p>Home Address</p> <p>Employer Name/Address</p> <p>VYR Make Model Style Color Lic/Lis VIN</p>								V1	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status				<i>Age</i>																							
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<p>CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)</p> <p>Type: INDIVIDUAL Injury:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">IO</td> <td style="width: 45%;">Name (Last, First, Middle)</td> <td style="width: 10%;">Victim of Crime #</td> <td style="width: 5%;">DOB</td> <td style="width: 5%;">Race</td> <td style="width: 5%;">Sex</td> <td style="width: 10%;">Relationship To Offender</td> <td style="width: 10%;">Resident Status</td> <td style="width: 10%;">Military Branch/Status</td> </tr> <tr> <td></td> <td></td> <td></td> <td><i>Age 31</i></td> <td></td> <td></td> <td></td> <td></td> <td><i>Resident</i></td> </tr> </table> <p>Home Address <i>2555 W 75th St - 103 Naperville, IL 60540</i></p> <p>Employer Name/Address <i>Buffalo Wild Wings (MANAGER)</i></p> <p>Type: INDIVIDUAL Injury:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">IO</td> <td style="width: 45%;">Name (Last, First, Middle)</td> <td style="width: 10%;">Victim of Crime #</td> <td style="width: 5%;">DOB</td> <td style="width: 5%;">Race</td> <td style="width: 5%;">Sex</td> <td style="width: 10%;">Relationship To Offender</td> <td style="width: 10%;">Resident Status</td> <td style="width: 10%;">Military Branch/Status</td> </tr> <tr> <td></td> <td></td> <td></td> <td><i>Age 26</i></td> <td></td> <td></td> <td></td> <td></td> <td><i>Resident</i></td> </tr> </table> <p>Home Address <i>2555 W 75th St - 103 Naperville, IL 60540</i></p> <p>Employer Name/Address</p>								IO	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status				<i>Age 31</i>					<i>Resident</i>	IO	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status				<i>Age 26</i>					<i>Resident</i>
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<p>P R O P E R T Y</p>	VI #	Code	Status Frm/Td	Value	OJ	QTY	Property Description		Make/Model		Serial Number																																
<p>Officer/ID# <i>SUTHARD, R. (8340)</i></p>																																											
Invest ID# <i>(0)</i>							Supervisor <i>RIMDZIUS, M. J. (7769)</i>																																				
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<p>Printed By: DAVIS, RCS3</p> <p>Sys#: 1006514</p> <p>11/12/2019 11:18</p>																																											

Incident Report Additional Name List

Naperville Police Department

OCA: 2019-010921

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 3	[REDACTED]	[REDACTED]	[REDACTED]	53	[REDACTED]	
	Address [REDACTED]	H:	[REDACTED]			
	Empl/Addr Buffalo Wild Wings	B:	[REDACTED]			
		Mobile #:	[REDACTED]			
2) IO 4	[REDACTED]	[REDACTED]	[REDACTED]	18	[REDACTED]	
	Address 2555 W 75th St Apt. 103, Naperville, IL 60540-	H:	[REDACTED]			
	Empl/Addr	B:	[REDACTED]			
		Mobile #:	[REDACTED]			
3) IO 5	[REDACTED]	[REDACTED]	[REDACTED]	24	[REDACTED]	
	Address 2555 W 75th St Apt. 103, Naperville, IL 60540-	H:	[REDACTED]			
	Empl/Addr Bww, 2555 W 75th St	B:	[REDACTED]			
		Mobile #:	[REDACTED]			
4) IO 6	[REDACTED]	[REDACTED]	[REDACTED]	21	[REDACTED]	
	Address 2555 W 75th St Apt. 103, Naperville, IL 60540-	H:	[REDACTED]			
	Empl/Addr Bww, 2555 W 75th St	B:	[REDACTED]			
		Mobile #:	[REDACTED]			
5) IO 7	[REDACTED]	[REDACTED]	[REDACTED]	38	[REDACTED]	
	Address [REDACTED]	H:	[REDACTED]			
	Empl/Addr	B:	[REDACTED]			
		Mobile #:	[REDACTED]			

INCIDENT/INVESTIGATION REPORT

Naperville Police Department

Case # 2019-010921

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

Assisting Officers

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 2019-010921

Naperville Police Department

NARRATIVE

Investigation non-specific

REPORTING OFFICER NARRATIVE

Naperville Police Department

OCA
2019-010921

Victim	Offense INVESTIGATION - NON SPECIFIC	Date / Time Reported Sun 10/27/2019 18:16
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

In summary: On 10/27/2019 at approximately 1816 hours, I Ofc Suthard (8340) responded to the Buffalo Wild Wings at 2555 W 75th St in reference to a telephone threat.

Upon arrival, I made contact with the store manager, [REDACTED], and an employee, [REDACTED]. [REDACTED] was crying and appeared distraught. [REDACTED] and [REDACTED] then related the following in summary not verbatim:

On Saturday, 10/26/2019, a party of 18 entered the restaurant and was seated in the dining room next to a table with 2 customers. The table with 2 customers are regulars to the restaurant and asked their waitress if they could seat the large group elsewhere since the dining room was mostly empty and there was not much room around them. The staff seated the group next to the couple anyway because the tables had already been set. Shortly after seating the group, another server ([REDACTED]) and the greeter ([REDACTED]) approached the group and advised them the couple did not want to sit next to them because the couple was racist (the group of 18 were [REDACTED] and the couple were [REDACTED]).

Shortly after, the couple (identified as [REDACTED]) moved their tables to make more room. The waitress for the group of 18 ([REDACTED]) was unaware of everything that had happened and asked the large group if they would move to an area of the dining room with more room. The group became enraged because they believed they were being told to move because of their race. [REDACTED] attempted to explain that it was only a matter of making them more comfortable. While [REDACTED] was speaking to the group, [REDACTED] returned to the table and advised them "If they're going to serve racists here then I quit". The group again became angry and were under the belief they were being treated differently due to their race.

[REDACTED] arrived at the table and advised the group they would not charge them for their drinks and would offer them 25% off of all of their meals. An individual of the group then advised [REDACTED] that he was a "traitor to his own race" ([REDACTED] is also [REDACTED]). They then advised [REDACTED] they wanted 5 minutes to decide if they wanted to stay. [REDACTED] walked to the back room and observed the subjects leave the restaurant on the camera.

On 10/27/2019, an individual from the group of 18 named [REDACTED] posted a narrative of the incident on Facebook. The narrative is as follows:

"PSA: I usually don't post these types of things but we think people need to be aware of the situation.

Last night (10/26) we went to the Buffalo Wild Wings on 75th & 59 with a party of 18. Upon being greeted, my husband [REDACTED] told the host that we had a party of 15. After he realized that he miscounted, my husband walked over to the tables to where the host was setting up and told him we actually had 18. A couple minutes went by and the host went up to my husband and asked "what race are you guys?" My husband asked him why it mattered and the host responded that a table with 2 of their "regular customers" were next to where we were to be seated and he didn't want us sitting there because he's "racist." "Us" being a group of minorities, mostly consisting of [REDACTED] so of course, we don't give him the satisfaction and told the host we'll sit where they set us up.

We knew right away who it was because the guy was staring at us the entire time and giving us looks as we were being seated. As we sit, our waiter greets us and gets some drinks & app orders started. After a few minutes we notice that an employee is talking to the "racists table" and approaches us and communicates to [REDACTED] and [REDACTED] "these seats are reserved and we will have to move your group." The guys politely tell him that we're not moving and request to speak to the manager in which he says he's one of the managers ([REDACTED]). Meanwhile, we've told our waitress what was happening and she makes a comment indicating that she's already aware he's a racist because he's a regular. How is an establishment ok with serving people who try to control which types of people sit around them?! It was not ok that that a person of management was willing to move 6 adults and 12 children versus 2 grown adults

REPORTING OFFICER NARRATIVE

Naperville Police Department

OCA
2019-010921

Victim	Offense INVESTIGATION - NON SPECIFIC	Date / Time Reported Sun 10/27/2019 18:16
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who are uncomfortable sitting by [REDACTED] !! At this point we're uncomfortable for being put in this situation. The service manager ([REDACTED]) now approaches us, after already speaking to the other table, to say that it was told to her that our seats were already reserved by a party of 18 that called in. Hmm, could that be us?! Although we walked in with no call, if these tables were in fact reserved there would have been a reserved sign on the table. At this time management is giving every excuse for their "misunderstanding" because [REDACTED] decides to change his story in front of his superior. We call him out on his words and tell him he didn't "think the tables were reserved" and blatantly told us they WERE reserved and we HAVE to move our group.

It's apparent that this staff knows these two individuals as they were playful with conversation and took their time to make our experience difficult. In 2019, this type of behavior should not be accepted because of certain views. If you don't want to sit next to certain people in a public restaurant then you should probably eat dinner in the comfort of your own home. A moment to hangout with a group of friends after a birthday party, turned into a discussion with our young impressionable sons about how we didn't get kicked out, but willingly CHOSE to leave because of the unfair treatment we were being given. This Buffalo Wild Wings location has lost our business indefinitely. Thank you to the Hooters for serving our group and the patrons of Hooters for not being close-minded people that would ruin the night of others. #closedmindedpeoplewillnotprosper"

(End of post)

[REDACTED] advised that after the post was shared numerous times, the restaurant began receiving "hundreds" of threatening phone calls from all over the country. In many of the phone calls, the caller advises the Buffalo Wild Wings employees they will kill them.

Each employee advised they did not recognize any of the voices. None of the employees had observed anything suspicious in or around the restaurant.

I then spoke to [REDACTED], who was the female half of the couple seated next to the large group. [REDACTED] advised that at no time did she speak to the group. She further noted they had moved their table away from the group because there was very little room between their table and the group's table for servers to get through.

I spoke with the restaurant's general manager, [REDACTED], who advised he was aware of the incident and had notified the corporate office and media department.

I again spoke with [REDACTED] who related 10/26/2019 was [REDACTED] last day working at the restaurant and was laughing as she left and stated she had "started a tornado".

[REDACTED] and [REDACTED] were not on scene at the time of the call. [REDACTED] was instructed by her manager to provide a written statement the prior day. A copy of that statement was attached to the report.

The waitress who had served [REDACTED] and [REDACTED], [REDACTED], also provided a statement which was attached to the report.

[REDACTED] requested extra patrols around the restaurant as many of the employees feared for their well being as a result of the incident.

Naperville Police Department

OCA: 2019010921

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Case Status: *INACTIVE***Case Mng Status:** *INACTIVE***Occurred:** *10/26/2019***Offense:** *INVESTIGATION - NON SPECIFIC***Investigator:** *SUTHARD, R. (8340)***Date / Time:** *10/31/2019 11:30:40, Thursday***Supervisor:** *JOURDAN, L. (3291)***Supervisor Review Date / Time:** *10/31/2019 17:05:02, Thursday***Contact:****Reference:** *Supplemental*

On 10/30/2019 Buffalo Wild Wings (BWW) General Manager [REDACTED] contacted me and related the following in summary not verbatim:

BWW human resources department came to the store and investigated the incident. During the course of the investigation, they deemed [REDACTED] had made a comment referring to a "noose". [REDACTED] did not know the exact statement. [REDACTED] had also advised a manager on duty that "there will be a big problem". They further advised [REDACTED] has a swastika tattoo and had made racially derogatory statements in the past.

[REDACTED] and [REDACTED] were then contacted by [REDACTED] and banned from all BWW restaurants for life. Upon being given the information, [REDACTED] became enraged and hung up the phone.

[REDACTED] advised they still did not wish to press charges for the incident. He further noted BWW had hired private security for the establishment. He requested extra patrols of the restaurant, especially during the hours of 0000 to 0100 when the employees are leaving.

I completed a bulletin describing the incident and requesting extra patrols, which was sent to all NPD officers.

Nothing further to report.

Investigator Signature

Supervisor Signature

Naperville Police Department

OCA: 2019010921

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Case Status: INACTIVE

Case Mng Status: INACTIVE

Occurred: 10/26/2019

Offense: INVESTIGATION - NON SPECIFIC

Investigator: GIBLER, E. L. (4957)

Date / Time: 11/07/2019 12:08:02, Thursday

Supervisor: BLACK, T. (4179)

Supervisor Review Date / Time: 11/08/2019 17:13:17, Friday

Contact:

Reference: Supplemental

2019-10921

11/06/2019 1600 hours

I (Det. E. Gibler 4957) was assigned to follow up on a telephone threat that Buffalo Wild Wings, located at 2555 W. 75th Street, Suite 103, had received, please see NPD IR #2019-011198. I spoke with [REDACTED], the General Manager, via telephone and related that I had spoken with [REDACTED] and [REDACTED] in reference to Buffalo Wild Wings banning both of them from all Buffalo Wild Wings for life. I informed [REDACTED] what [REDACTED] and [REDACTED] had related to me about the incident that occurred on Saturday 10/26/2019, which is documented in an attached supplemental report. [REDACTED] wanted to report several items that were brought to his attention throughout the Buffalo Wild Wings internal investigation of the incident.

First, [REDACTED] explained that he knew [REDACTED] and [REDACTED] as regulars at the Naperville business, but he had limited contact with them over the past two (2) years. Once the incident occurred on Saturday 10/26/2019, several employees reported inappropriate conduct by [REDACTED] and [REDACTED]. These events were never reported to [REDACTED] in the past. It was relayed to [REDACTED] that if someone other than a Caucasian employee would bring them food, [REDACTED] would refuse the food and send it back to the kitchen. [REDACTED] did not have any specifics about these incidents including when they occurred or who witnessed these events. All the employees were very aware that [REDACTED] was racist and would make racist comments while he was a customer at Buffalo Wild Wings. [REDACTED] insisted that if he had known about these incidents, he would have addressed them.

Secondly, on Saturday 10/26/2019, when the large party of [REDACTED] subjects entered the business and were being seated, [REDACTED] spoke with employee [REDACTED] and made a statement similar to that of,

we are going to have a problem here in about an hour

[REDACTED] reported to [REDACTED] that he believed it was about the large party of [REDACTED] being seated near [REDACTED], but that was not confirmed and no one else heard this statement.

Thirdly, [REDACTED] did call [REDACTED] on Wednesday, October 30, 2019 and spoke with [REDACTED], stating that he was banned for life from all Buffalo Wild Wings, at which [REDACTED] became extremely angry and ended the conversation. [REDACTED] did not leave [REDACTED] a message, but actually spoke with him on the phone.

[REDACTED] also wanted to note that it was confirmed by numerous employees that when [REDACTED] was walking out of Buffalo Wild Wings that night, she clearly stated that she,

"started a tornado on my last night" [REDACTED] has attempted to speak with [REDACTED] in reference to this statement

Investigator Signature

Supervisor Signature

Naperville Police Department

OCA: 2019010921

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Case Status: *INACTIVE***Case Mng Status:** *INACTIVE***Occurred:** *10/26/2019***Offense:** *INVESTIGATION - NON SPECIFIC***Investigator:** *GIBLER, E. L. (4957)***Date / Time:** *11/07/2019 12:08:02, Thursday***Supervisor:** *BLACK, T. (4179)***Supervisor Review Date / Time:** *11/08/2019 17:13:17, Friday***Contact:****Reference:** *Supplemental*

but she has not returned any phone calls from [REDACTED]

Also, the other employee [REDACTED] was not fired, but quit on his own which is in conflict with information that has been reported in the media.

[REDACTED] further informed me that Buffalo Wild Wings does have security cameras inside of the business and the footage from that night was downloaded and being sent to Buffalo Wild Wings corporate office.

1310 hours

I contacted the Oswego Police Department and informed Sgt. Shane Yackley of the details of the investigation due to [REDACTED] residing in [REDACTED]

1330 hours

I contacted the Bloomingdale Police Department and Informed Commander Bruce Mason of the details of the investigation due to [REDACTED] residing in [REDACTED]

I have no further information.

Investigator Signature

Supervisor Signature

OCA: 2019010921

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Investigator: GIBLER, E. L. (4957)

Date / Time: 11/05/2019 12:37:05, Tuesday

Supervisor: (0)

Supervisor Review Date / Time: 11/05/2019 12:37:47, Tuesday

Contact:

Reference: *Supplemental*

2019-010921

10/31/2019 1545 hours

I (Det. E. Gibler 4957) was requested to follow-up on this report that was made by the management staff at Buffalo Wild Wings, located at 2555 W. 75th Street in Naperville due to an incident that occurred on 10/26/2019. This incident was later detailed in a Facebook post by a customer of Buffalo Wild Wings and has since been shared by numerous subjects, garnering attention from local and national media. After Buffalo Wild Wings completed an internal investigation, they chose to contact two (2) regular customers, identified as [REDACTED] and [REDACTED] who were involved in the incident on 10/26/2019 and verbally inform them that they were banned from all Buffalo Wild Wings restaurants. There was concern over [REDACTED] reaction to this decision.

I attempted contact with [REDACTED] at her residence in [REDACTED]. I spoke with a female subject identified as her mother who related that she was aware of the situation that occurred at Buffalo Wild Wings and was also aware of the Facebook / Media attention that it was receiving. I requested that [REDACTED] contact me so that I could speak with her.

2000 hours

I received a phone call from [REDACTED] which has been identified as belonging to [REDACTED]. A female on the phone, identified herself as [REDACTED]. I explained that I was aware of the situation and I was calling in reference to safety concerns surrounding the incident and to reiterate that she and [REDACTED] were not allowed back at the Buffalo Wild Wings in Naperville. [REDACTED] related the following in summary. She and [REDACTED] have been customers of the Buffalo Wild Wings in Naperville for approximately two (2) - three (3) years. They would go there almost every Saturday to watch college football and hockey games. They know the staff very well, some of them outside of the Buffalo Wild Wings business. They have never had a problem before Saturday 10/26/2019. [REDACTED] admitted that [REDACTED] is a racist and has made comments in the past at Buffalo Wild Wings that would be considered inappropriate or racist, but usually during conversation with an employee or in jest. They have never made comments to another customer or requested to move seats due to the color of other customers. On Saturday, 10/26/2019, they were sitting at a low top table for four (4) eating and watching games. They were there for approximately two (2) hours when a large group of [REDACTED] subjects came into Buffalo Wild Wings and were seated directly behind [REDACTED]. [REDACTED] insisted that neither she nor [REDACTED] ever said anything to the large group or to the employees about having them move tables due to [REDACTED] being a racist.

[REDACTED] further related that two (2) employees; [REDACTED] and [REDACTED] (identified as [REDACTED] and [REDACTED]) approached the large group of [REDACTED] and asked if they could move tables due to a racist sitting at the next

Investigator Signature: _____

OCA: 2019010921

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Investigator: GIBLER, E. L. (4957)

Date / Time: 11/05/2019 12:37:05, Tuesday

Supervisor: (0)

Supervisor Review Date / Time: 11/05/2019 12:37:47, Tuesday

Contact:

Reference: *Supplemental*

table. The restaurant was fairly empty so it was obvious that [REDACTED] and [REDACTED] were talking about [REDACTED] and [REDACTED]. According to [REDACTED] at no time did [REDACTED] or [REDACTED] tell the employees at Buffalo Wild Wings to move the group or say anything offensive to the group. [REDACTED] denied any comment being made about a "noose" and that [REDACTED] back was to the group the entire time and did not look at the group until they exited the restaurant.

[REDACTED] did acknowledge that she pulled their table approximately five (5) to ten (10) inches away from the large group due to the servers not being able to walk freely between the large group and [REDACTED]. She explained that [REDACTED] is approximately 300 pounds. [REDACTED] stated that she had seen the Facebook post and stated that there were many false statements in the post. She had no plans of identifying herself or responding to the post. [REDACTED] also understood that she and [REDACTED] were banned from all Buffalo Wild Wings.

I asked for [REDACTED] to contact [REDACTED] and have him call me so that we could have a similar discussion.

11/04/2019 1740 hours

As of this date and time, I had not heard from [REDACTED] so Det. P. Elliott and I made contact with [REDACTED] at his residence in [REDACTED]. [REDACTED] related the following in summary. He and [REDACTED] have been regular customers at the Buffalo Wild Wings in Naperville for the past two (2) - three (3) years, going there almost every Saturday to watch football and hockey games. On Saturday 10-26-2019, they had been sitting at their normal table for approximately two (2) hours when a large group of [REDACTED] were seated directly behind [REDACTED]. There was very little room between him and the guests sitting at that table so [REDACTED] pulled the table towards her allowing more room for the servers to walk behind [REDACTED].

[REDACTED] stated that neither him nor [REDACTED] ever requested to have the large group moved or in fact, said anything to their server about the group. [REDACTED] heard the group get agitated early on about not getting their drinks in a timely manner and that Buffalo Wild Wings was out of a certain food that they were requesting. Then two employees; [REDACTED] and [REDACTED] told the group they needed to move due to two (2) customers sitting nearby who were racist. [REDACTED] and [REDACTED] were the only subjects sitting nearby. The large group was highly agitated and eventually chose to leave. Shortly after, [REDACTED] and [REDACTED] were also asked to leave, which they did without a problem. He knew that several employees were visibly upset about what had occurred due to the agitated state the group was in when they left.

I asked [REDACTED] about any conversations he had with management since the incident and [REDACTED] related that someone from management contacted him on his cellular phone on Monday 10/28/2019 and informed him that Buffalo Wild Wings was conducting an internal investigation into the incident. [REDACTED] stated "OK" but did not have a conversation with the subject. Then a manager contacted him again on Wednesday 10/30/2019 and left him a message stating he was banned

Investigator Signature: _____

OCA: 2019010921

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Investigator: GIBLER, E. L. (4957)

Date / Time: 11/05/2019 12:37:05, Tuesday

Supervisor: (0)

Supervisor Review Date / Time: 11/05/2019 12:37:47, Tuesday

Contact:

Reference: *Supplemental*

from all Buffalo Wild Wings for lifetime. [REDACTED] did not return the phone call.

I then asked [REDACTED] if there was ever a comment involving a "noose" on the day of the incident or on any of the subsequent phone calls. [REDACTED] denied making any statement about a "noose", but recalled that while one of the employees, [REDACTED] was standing in the servers-only area located near the bar, he made a noose out of two (2) paper straw wrappers and was holding it up stating he wanted to hang himself due to the large group being seated in his area.

[REDACTED] admitted that the employees at Buffalo Wild Wings had heard him make racist jokes or comments in the past and that they took it upon themselves to tell this large group of [REDACTED] that they needed to move due to [REDACTED] being a racist. In the past few years that [REDACTED] and [REDACTED] have been customers of Buffalo Wild Wings, there have been numerous [REDACTED] customers who have sat next to them and there has never been a problem. [REDACTED] believes that on Saturday 10/26/2019, the restaurant employees wanted the large group to move due to the highly anticipated Diaz fight being on that night and that this large group was in the center of the restaurant which may limit other groups from sitting in that area, but he did not have any proof of that fact.

When the large group decided to leave the restaurant, [REDACTED] heard and saw one of the subjects point at him and state, "Im gonna shoot that racist niger". [REDACTED] responded by laughing at him. The subject was described as the following:

[REDACTED] early 20's, approximately 6'00" in height, with short braids of varying color (red, white and green), wearing a black t-shirt with the rapper Notorious B.I.G. on the front

[REDACTED] understood that he was no longer allowed at any Buffalo Wild Wings Restaurants. He informed us that he believed he saw a WGN news van parked on his street earlier that day. I suggested that if he saw or heard anything suspicious that he contact the Bloomingdale Police Department. At this time, [REDACTED] and [REDACTED] did not have any plans on making a statement or responding to the numerous Facebook posts.

I have no further information. I request case closed.

Investigator Signature: _____

10/10/2019

I was asked to help a table (party of 18)

who expressed their issue with the ~~couple~~^{couple} ~~table~~^{the couple has} next to them being racist. I, knowing that ~~they~~^{negative} ~~had~~ made several "comments" in the past about black people including threatening to shoot ~~other~~^{other} black people with an AK 47, explained that we know the couple ([REDACTED] and [REDACTED]) are racist.

the table asked me "you know they are racist?" I said "yes." they asked me "why don't you guys do anything about them?"

I said "I'm not sure, they come here all the time. None of us know why they are still able to come here."

Written by
RS 8340

I was the one who served [REDACTED]
[REDACTED] I was out, a server
took an 8 top in my section,
shortly after an 18 top came in &
asked [REDACTED] to take it. After [REDACTED]
told me she asked him & went to
tell [REDACTED] because she was
eating dinner with her dad (refusing tables
then told [REDACTED] to take it,
[REDACTED] said "I'll take the write up it's my
last day." [REDACTED] & [REDACTED] are regulars
that [REDACTED] knows to be "racist", and after
[REDACTED] started drinks for the party,
[REDACTED] made a comment to the table
about them - which then the party
started making comments to [REDACTED] &
[REDACTED] who were already talking
to [REDACTED] and [REDACTED]

did stand up, but sat back down. I have known I had these regulars ~~many~~ multiple times and they are just very difficult customers & hard to please. word got around to staff fast (regulars are known to be ~~as~~ a pain) once everyone staffed it, it blew up, ~~it~~ gave the party all corporate numbers, ~~it~~ both talked to the party & ~~it~~ trying to keep everyone happy - the party ended up leaving ~~it~~ are their food & ~~it~~ bothered no one. knowing ~~it~~ after serving him for months, between ~~it~~ if they would have asked him to leave for something he was accused of ~~it~~ would have 2

Created a scene in the entire
resturant. sc It was all he ~~say~~
she said she said and a lot
of miscommunication - our staff causing
most of the drama. [REDACTED] was sent
home and later I was told
that [REDACTED] dad talked to chris
about his rights and first amendment
which is extremely inappropriate.
the party ended up leaning
but I watched [REDACTED] & [REDACTED]
do everything they could to keep
the situation under control.
No racist comments or remarks
were made, and it blew up
by word of mouth. ~~because~~
I've been here since 2 I'm tired
thank you for your time

2019-10921

16.27.19

At work today, after the facebook post went viral, after reading it I asked [REDACTED] at work if what he said was true: he asked the party what race they were. He said yes, and he said he asked them if they wanted to move, because he was told by [REDACTED] that the regulars known to be racist. that came in were [REDACTED] if they wanted to He asked the party move away, they said no, then later when [REDACTED] went to the table, the party asked if the couple wanted to move because they were racist, and she said yes.

Naperville Police Department

Incident Case Number: 2019-011198

Reporting Agency: Naperville Police

Print Date/Time: 11/07/2019 13:40:45

Disclaimer: The information contained within this report is reflective of the investigation at the date and time of its printing.

Agency Name <i>Naperville Police Department</i>				INCIDENT/INVESTIGATION REPORT								Case# <i>2019-011198</i>		
I N C I D E N T D A T A M O	ORI <i>IL 0221400</i>												Date / Time Reported <i>11/04/2019 10:13 Mon</i>	
	Location of Incident <i>2555 W 75th St Apt. 103, Naperville IL 60540-</i>				Premise Type <i>Restaurant</i>				Beat/Tract <i>04A, 10</i>				Last Known Secure <i>11/04/2019 10:13 Mon</i>	
	#1	Crime Incident(s) (Com) <i>Telephone Threat 2820</i>				Weapon / Tools <i>NONE</i>								At Found <i>11/04/2019 10:13 Mon</i>
						Entry				Exit				Security
#2	Crime Incident ()				Weapon / Tools								Activity	
					Entry				Exit				Security	
#3	Crime Incident ()				Weapon / Tools								Activity	
					Entry				Exit				Security	
MO														
V I C T I M	# of Victims <i>1</i>		Type: BUSINESS				Injury:							
	V1	Victim/Business Name (Last, First, Middle) <i>BUFFALO WILD WINGS</i>				Victim of Crime # <i>1,</i>	DOB <i>Age</i>	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status <i>Resident</i>		
	Home Address <i>2555 W 75TH ST - 103, Naperville, IL 60540-</i>								Home Phone					
	Employer Name/Address <i>Buffalo Wild Wings (GENERAL MANAGER)</i>								Business Phone <i>630-369-9464</i>			Mobile Phone		
	VYR	Make	Model	Style	Color	Lic/Lis			VIN					
CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)														
O T H E R S I N V O L V E D	Type: INDIVIDUAL Injury:													
	Code <i>RP</i>	Name (Last, First, Middle)				Victim of Crime #	DOB <i>Age 53</i>	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status <i>Resident</i>		
	Home Address								Home Phone					
	Employer Name/Address <i>Buffalo Wild Wings (GENERAL MANAGER)</i>								Business Phone			Mobile Phone		
	Type: INDIVIDUAL	Injury:												
Code <i>IO</i>	Name (Last, First, Middle)				Victim of Crime #	DOB <i>Age 55</i>	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status <i>Non-Resident</i>			
Home Address								Home Phone						
Employer Name/Address								Business Phone			Mobile Phone			
1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)														
P R O P E R T Y	VI #	Code	Status Frm/Tc	Value	OJ	QTY	Property Description				Make/Model			Serial Number
Officer/ID# <i>WINTER, M. C. (3110)</i>														
Invest ID# <i>GIBLER, E. L. (4957)</i>							Supervisor <i>ERDMAN, T. W. (5010)</i>							
Status	Complainant Signature				Case Status <i>Inactive</i>			Case Disposition:				Page 2		

INCIDENT/INVESTIGATION REPORT

Naperville Police Department

Case # 2019-011198

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

Assisting Officers

ERDMAN, T.W. (5010)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 2019-011198

Naperville Police Department

NARRATIVE

Telephone Threat to burn business down.

REPORTING OFFICER NARRATIVE

Naperville Police Department

OCA
2019-011198

Victim BUFFALO WILD WINGS	Offense TELEPHONE THREAT	Date / Time Reported Mon 11/04/2019 10:13
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11-04-19 1013 Hr. 2555-103 W. 75th.St (Buffalo Wild Wings)

I, Ofc. Winter # 3110 responded to the above location in reference to a telephone threat. I arrived on scene and met with the manager of Buffalo Wild Wings (BWW) [REDACTED] who related the following in summary: On today's date, he received a telephone call from [REDACTED] who is with the BWW Human Resources department in Atlanta Georgia. [REDACTED] advised that an unknown male/adult [REDACTED] had just called her at the 1-800-499-9586 number and stating something to the affect, "The Buffalo Wild Wings is racist, I'm gonna set the place on fire." The male then hung up. [REDACTED] was able to obtain the caller ID information and advised the number came back to [REDACTED]. The call was not recorded and she did not have any additional information.

Through use of Law Enforcement resources I was able to determine that the suspect phone # came back to a possible subject by the name of [REDACTED] who has an address of [REDACTED]. [REDACTED] has a po [REDACTED] history which includes a 2004/2005 arrest for Communicating Threats out of NC along with several other arrest. Additionally, [REDACTED] does not have a FOID or CCL and his Illinois Drivers License is suspended.

I advised Sgt. Erdman of the above information and that BWW management is interested in pursuing the matter if an arrest can be made in this incident.

I request case follow up to the Investigations Division.

CASE SUPPLEMENTAL REPORT

Printed: 11/12/2019 11:15

Naperville Police Department

OCA: **2019011198**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *INACTIVE*

Case Mng Status: *INACTIVE*

Occurred: *11/04/2019*

Offense: *TELEPHONE THREAT*

Investigator: *GIBLER, E. L. (4957)*

Date / Time: *11/07/2019 11:48:00, Thursday*

Supervisor: *DEUCHLER, E. (4268)*

Supervisor Review Date / Time: *11/07/2019 13:36:32, Thursday*

Contact:

Reference: *Supplemental*

2019-011198

11/06/2019 1045 hours

I (Det. E. Gibler 4957) spoke with [REDACTED] via telephone. She related the following in summary. She is a Human Resource Solution Center Specialist for Buffalo Wild Wings at the Atlanta, Georgia office. On 11/04/2019 at 10:58 hours (EST) she received a phone call that came in through the 1-800-499-9586 number and was queued to her open phone line. This number is available on the internet and can be found through any search engine. Her phone does have caller identification and captured the following number as the caller:

[REDACTED]

She answered the phone call and an adult male subject stated, " OK, this Buffalo Wild Wings in Naperville has racism. I'm gonna set the place on fire."

The subject then ended the phone call. She did not recognize the number or the voice on the phone. She has not received any other phone calls in reference to the Naperville store. [REDACTED] immediately reported the phone call to her supervisors. She did not feel threatened by the phone call but was worried for the Naperville store and its employees. She had nothing else to report about the phone call.

1600 hours

I spoke with [REDACTED] the General Manager for the Naperville Buffalo Wild Wings located at 2555 W 75th Street, Suite 103. [REDACTED] was aware of the phone call and the business is currently taking numerous safety precautions due to the all of the media attention they are receiving about an incident that occurred on 10/26/2019, please see NPD Report #2019-010921. [REDACTED] stated that as of right now Buffalo Wild Wings does not want to pursue the investigation into the telephone threat, but he was going to speak with his supervisors and confirm this information. [REDACTED] agreed to contact me if their decision changed. I informed him that I would be closing the investigation at this time.

I have no further information.

I request case closed due to no complaints to be signed.

Investigator Signature

Supervisor Signature